

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

UNITED STATES OF AMERICA

v.

WILLIE DEMPS

Defendant

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CASE NO. 4:21-CR-31 (CDL)

PRELIMINARY ORDER OF FORFEITURE/MONEY JUDGMENT

WHEREAS, on February 1, 2022, Defendant Willie Demps (hereinafter “Demps” or “Defendant”), pled guilty to Count One through Three of the Superseding Information. Count One charged Demps with Bank Fraud, in violation of Title 18, United States Code, Section 1344(2), in connection with Title 18, United States Code, Section 1349;

AND WHEREAS, the Superseding Information contained a Forfeiture Notice, pursuant to which the United States seeks forfeiture under Title 18, United States Code, Section 982(a)(2), of any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such offense(s), including, but not limited to a personal money judgment in an amount to be determined;

AND WHEREAS, the Defendant pled guilty to a written Plea Agreement to Count One, *inter alia*, of the Superseding Information, charging that Demps, knowingly and willfully conspired and agreed with other persons both known and unknown to the United States Attorney, to commit an offense against the United States, to wit: bank fraud,

and did knowingly obtain monies and funds owned by and under the control of Synovus Bank, SunTrust Bank, and Colony Bank, federally insured financial institutions, by means of materially false and fraudulent pretenses, representations, and promises, to wit: the Defendants repeatedly caused stolen checks to be drawn on the accounts of the Clerk of Superior Court at the named financial institutions in order to wrongfully and unlawfully obtain moneys and funds on deposit with the aforementioned institutions. All in violation of Title 18, United States Code, Section 1344(2), in connection with Title 18, United States Code, Section 1349;

AND WHEREAS, the United States has filed a Motion and Memorandum for the Issuance of a Preliminary Order of Forfeiture/Money Judgment against Demps in the amount of one million, ninety-five thousand, nine hundred ninety-one dollars (\$1,095,991.00), representing the proceeds of the fraud scheme, obtained directly or indirectly, as a result of such offense(s); and

WHEREAS, Rule 32.2(c)(1) of the Federal Rules of Criminal Procedure provides that “no ancillary proceeding is required to the extent that the forfeiture consists of a money judgment”;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. Pursuant to 18 U.S.C. § 982(a)(2), 18 U.S.C. § 3554, and Rule 32.2(b), Federal Rules of Criminal Procedure, the Court finds by a preponderance of the evidence that the United States has demonstrated the required nexus between the personal money judgment amount and the offense(s) of conviction, and the Defendant shall forfeit to the

United States the sum of one million, ninety-five thousand, nine hundred ninety-one dollars (\$1,095,991.00).

2. The United States District Court, Middle District of Georgia, shall retain jurisdiction in the case for the purpose of enforcing this Order of Forfeiture/Money Judgment.

3. Pursuant to FED. R. CRIM. P. 32.2(b)(4), this Order of Forfeiture/Money Judgment shall become final as to the Defendant at the time of sentencing and shall be made part of the sentence and included in the judgment.

4. As issued this date, this Order of Forfeiture/Money Judgment consists of a judgment for a sum of money. The United States may, at any time, move pursuant to FED. R. CRIM. P. 32.2(e), to amend this Order of Forfeiture/Money Judgment if the Government locates specific assets traceable to the subject property or other assets subject to forfeiture as substitute assets pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b)(1).

SO ORDERED, this 20th day of May, 2022.

S/Clay D. Land
CLAY D. LAND, JUDGE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA